



U.S. Department of Justice

United States Attorney  
Southern District of New York

---

*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

April 19, 2023

**BY ECF**

The Honorable P. Kevin Castel  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, New York 10007

**Re: United States v. Juan Carlos Bonilla Valladares, S8 15 Cr. 379 (PKC)**

Dear Judge Castel:

On March 22, 2023, the Government filed its brief in opposition to the motions for severance filed by defendants Juan Carlos Bonilla Valladares and Juan Orlando Hernandez. (*See* Dkt. 538). In that opposition brief, the Government described certain anticipated testimony by a particular cooperating witness ("CW-4"). Based on a trial preparation meeting held with CW-4 on April 17, 2023, the Government writes to correct its summary of CW-4's anticipated testimony. The corrections described below regarding CW-4's anticipated testimony concerning defendant Bonilla Valladares are provided here to ensure the accuracy of information before the Court, and do not impact the merits of the defendants' motions for severance, which the Court should deny. The Government still intends to call CW-4 as a witness against multiple defendants at trial, including Bonilla Valladares, and, as set forth in the Government's opposition, the defendants remain unable to overcome the strong presumption in favor of joint trials.

In its opposition brief to the severance motion, the Government stated that it expected CW-4 would testify about his interactions with both Bonilla Valladares and Hernandez. Specifically, as to Bonilla Valladares, the Government alleged that in approximately 2003, CW-4 met with Bonilla Valladares to seek assistance in locating and killing a rival trafficker ("Victim-2"). In exchange for payment, Bonilla Valladares said he and other members of the Honduran National Police ("HNP") would locate Victim-2, track Victim-2's movements, and kill Victim-2. CW-4 paid Bonilla Valladares approximately \$300,000 to carry out the murder, though CW-4 ultimately had someone else kill Victim-2. (*See* Dkt. 538 at 14). The Government also made this allegation in underlying Complaint charging Bonilla Valladares. (*See* 20 Mag. 4462 ¶ 14).

During trial preparations with the Government on April 17, 2023, CW-4 stated, in substance, that the individual CW-4 identified previously as "Tigre," referred not to Bonilla

Valladares, a/k/a “El Tigre” (as the Government had previously understood), but to another Honduran government official who also is known by the alias “Tigre,” a colonel in the Honduran military. Based on further questioning of CW-4, it appears that this other individual assisted CW-4 in attempting to murder Victim-2 in 2003 and, accordingly, the Government does not anticipate offering testimony about Victim-2’s murder at the September 18, 2023 trial in this matter.

However, the Government still anticipates offering testimony from CW-4 against Bonilla Valladares (as well as against Juan Orlando Hernandez, as described in the Government’s opposition, *see* Dkt. 538 at 15). In particular, based on statements made by CW-4 to the Government during the April 17, 2023 meeting, the Government expects that CW-4 will testify about co-conspirator statements made to him about Bonilla Valladares’s involvement in drug trafficking. For example, CW-4 stated that, in or about late 2012 or early 2013, CW-4 met with a particular co-conspirator (“CC-1”),<sup>1</sup> who maintained an airstrip in the vicinity of Santa Rita, Yoro, Honduras, where CC-1 received small planes filled with cocaine. CW-4 met CC-1 at the airstrip because CW-4 wished to scout the location in anticipation of using it to receive a drug shipment. While at the airstrip, CC-1 told CW-4 that, approximately a week prior, CC-1 received a shipment of approximately 800 to 850 kilograms of cocaine to be delivered to the airstrip. CC-1 previously had agreed to provide the drugs to Mexican narcotics traffickers who, in turn, would pay CC-1 approximately 25% of the value of the cocaine shipment in exchange for use of the airstrip. CC-1 told CW-4 that, when the plane landed, the Mexican buyers arrived at the airstrip accompanied by Bonilla Valladares, along with two police patrol cars and armed officers in full police uniform. CC-1 told CW-4 that the Mexican buyers, with Bonilla Valladares standing next to them, paid CC-1 in cash, then loaded the drugs into the two police cars, which CC-1 said then left with their sirens on. CC-1 expressed to CW-4 that CC-1 was surprised Bonilla Valladares had been present for this transaction, given Bonilla Valladares’ position in the HNP. Additionally, CW-4 stated that, in approximately early 2013, a second co-conspirator (“CC-2”) told CW-4 that Bonilla Valladares was providing protection for the drug trafficking activities of the individual identified as “CW-3,” a major Honduran drug trafficker, in the Government’s opposition to the defendants’ severance motions.

---

<sup>1</sup> The Government understands from CW-4 that CC-1 was killed in approximately 2012 or 2013.

Accordingly, while the Government does not expect that CW-4 will testify that Bonilla Valladares was involved in CW-4's efforts to murder Victim-2, the Government anticipates that CW-4 will testify about Bonilla Valladares's involvement in drug trafficking. For the reasons set forth above and in the Government's opposition to the defendants' motions for severance, the Court should deny the severance motions in their entirety.

Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York

By: /s/  
Jacob H. Gutwillig / David J. Robles  
Elinor L. Tarlow / Kyle A. Wirshba  
Assistant United States Attorneys  
(212) 637-2215 / 2550 / 1036 / 2493

cc: Defense Counsel (by ECF)